

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA	§	
McCOLLUM, individually, and STEPHANIE	§	
KINGREY, individually and as independent	§	
administrator of the Estate of LARRY GENE	§	
McCOLLUM,	§	
PLAINTIFFS	§	
	§	
v.	§	CIVIL ACTION NO.
	§	4:14-cv-3253
	§	JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE,	§	
RICHARD CLARK, KAREN TATE,	§	
SANDREA SANDERS, ROBERT EASON, the	§	
UNIVERSITY OF TEXAS MEDICAL	§	
BRANCH and the TEXAS DEPARTMENT OF	§	
CRIMINAL JUSTICE.	§	
DEFENDANTS	§	

**PLAINTIFFS’ OPPOSED MOTION FOR LEAVE TO FILE A SINGLE
CONSOLIDATED RESPONSE TO DEFENDANTS’ MOTIONS FOR SUMMARY
JUDGMENT IN EXCESS OF PAGE LIMITATIONS**

Plaintiffs respectfully request leave of Court to file a single, consolidated response to Defendants’ motions for summary judgment and to exceed the usual page limits for such a response brief.

Defendants filed motions for summary judgment totaling 156 pages of argument. *See* Docs. 285, 288. Plaintiffs’ deadline to respond to both motions is Wednesday, September 7, 2016. A substantial portion of the argument and evidence responsive to the two summary judgment motions overlaps (such as whether Mr. McCollum was a “person with a disability” under the ADA), and filling separate responses would entail substantial duplication in the briefing and evidentiary record. Therefore, for the convenience of the

Court and all counsel, Plaintiffs request leave to file a single, consolidated response to the two motions for summary judgment.

Plaintiffs also request leave to exceed the usual page limits so that they may adequately respond to the two motions. This is appropriate because Plaintiffs are filing a consolidated response to a 117-page summary judgment motion filed by the TDCJ Defendants, and a 39-page summary judgment motion filed by UTMB. If Plaintiffs were filing individual responses to each of the eight defendants motions, they would be entitled to file a total of 160 pages of argument pursuant to the Local Rules. Instead, they intend to file a single brief of less than 120 pages.

Therefore, Plaintiffs request leave of Court to file a single, consolidated response to Defendants' motions for summary judgment (Docs. 285, 288) that exceeds the usual page limits.

Dated: September 7, 2016.

Respectfully submitted,

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By /s/ Jeff Edwards

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

I certify that I conferred with counsel for UTMB, who indicated that UTMB is opposed to this motion. TDCJ's counsel did not return emails on September 7, 2016 inquiring as to their position, so they are presumed to be opposed.

By /s/ David James
DAVID JAMES

CERTIFICATE OF SERVICE

By my signature above, I certify that a true and correct copy of the foregoing has been served on all counsel of record through the Electronic Case Files System of the Southern District of Texas.

By /s/ Jeff Edwards
JEFF EDWARDS